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March 5, 2015

VIA ECF

Honorable J. Paul Oetken
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Profeta v. Shandell, Blitz,
Blitz & Ashley, LLP
15 CV 01054

Dear Judge Oetken:

I represent the plaintiff in this declaratory judgment action. I write in response to the letter from Arnold E. DeJoseph dated March 4, 2015, and in opposition to the request it contains.

As Mr. DeJoseph acknowledges, his clients were personally served on February 23, 2015. They also received a copy of the complaint from me via Federal Express on February 19, 2015. I have already agreed to extend these defendants' time to answer or move through the end of March.

This is an action to declare plaintiff's rights under a contract he made with defendants. Defendant Ashley was a member of the firm that made the contract and knows what this is about. He has already identified the grounds on which he will move to dismiss.

Mr. DeJoseph says he will be "out of the office at the end of March" but does not say when or for how long. With the extension of time we have agreed to, these defendants will have had more than a month to prepare their motion to dismiss before Mr. DeJoseph is "out of the office" .

Respectfully,

A handwritten signature in black ink, reading "Jethro M. Eisenstein". The signature is written in a cursive, flowing style with a long horizontal line extending from the end.

Jethro M. Eisenstein

JME/s

cc: Arnold DeJoseph, Esq.
Robert Schwinger, Esq.